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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON EXHIBITS A

Adv. Pro. No.

**DECLARATION OF DAVID J. SHEEHAN IN SUPPORT OF TRUSTEE'S
OPPOSITION TO NOTICES OF REQUEST TO DEPOSE
BERNARD L. MADOFF ON DAY 2 DEPOSITION TOPICS**

I, David J. Sheehan, declare the following:

1. I am a Partner with the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff (“Madoff”).

2. I submit this declaration in support of the Trustee’s Memorandum of Law in Opposition to Notices of Request to Depose Bernard L. Madoff on Day 2 Deposition Topics.

3. True and correct copies of the following documents are attached:

Exhibit 1: Transcript of Hearing Held on May 31, 2017¹

Exhibit 2: Deposition of Bernard L. Madoff dated April 26, 2017

Exhibit 3: Deposition of Bernard L. Madoff dated April 27, 2017

Exhibit 4: Excerpts from the hearing held on December 13, 2016 before discovery arbitrator Judge Maas

Exhibit 5: Letter dated December 15, 2016

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C § 1746(2).

Dated: June 6, 2017

New York, New York

By: /s/ David J. Sheehan
Baker & Hostetler LLP
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¹ A copy of this transcript is not being filed, as it will not be made public before the date of this filing. A hard copy of the transcript has been provided to the Court, and electronic copies have been made available to opposing counsel in this matter.

Exhibit A

Adversary Proceedings

<u>Adv. Pro. No.</u>	<u>Case Name</u>	<u>Defendant Counsel</u>	<u>Day 1</u>	<u>Day 2</u>
10-04292	Robert Roman	Chaitman LLP	x	x
10-04302	Joan Roman	Chaitman LLP	x	x
10-04306	Angela Tiletnick	Chaitman LLP	x	
10-04321	Herbert Barbanel, et al.	Chaitman LLP	x	x
10-04327	Gertrude E. Alpern Revocable Trust, et al.	Chaitman LLP	x	x
10-04335	Aspen Fine Arts Co., et al.	Milberg LLP/Seeger Weiss LLP	x	
10-04336	The Estate (Succession) of Doris Igoin, et al.	Kelley Drye & Warren LLP	x	
10-04342	Kenneth Evenstad Trust, et al.	Loeb & Loeb LLP		x
10-04344	Alexander Sirotkin	Chaitman LLP	x	
10-04354	Fiterman Investment Fun, et al.	Loeb & Loeb LLP		x
10-04362	Sage Associates, et al.	McDermott Will & Emery LLP	x	
10-04367	Benjamin T. Heller	Chaitman LLP	x	x
10-04397	Fern C. Palmer, individually and in her capacity as trustee for the Fern C. Palmer Revocable Trust dtd 12/31/91, as amended, et al.	Chaitman LLP	x	x
10-04400	Sage Realty, et al.	McDermott Will & Emery LLP	x	x
10-04415	Barbara J. Berdon	Dentons US LLP	x	
10-04438	Estate of Seymour Epstein, et al.	Chaitman LLP	x	x
10-04446	Trust Under Agreement Dated 12/6/99 for the benefit of Walter and Eugenie Kissinger, et al.	Chaitman LLP	x	x
10-04469	Carol L. Kamenstein, et al.	Chaitman LLP	x	x
10-04474	Roger Rechler Revocable Trust, et al.	Chaitman LLP	x	
10-04486	The Norma Shapiro Revocable Declaration of Trust Under Agreement Dated 9/16/08, et al.	Dentons US LLP	x	
10-04487	Estate of Audrey Weintraub, et al.	Chaitman LLP	x	x
10-04503	Judd Robbins	Chaitman LLP	x	x
10-04512	Mark Evenstad Trust, et al.	Loeb & Loeb LLP		x
10-04514	Serene Warrant Trust	Loeb & Loeb LLP		x
10-04541	Kenneth W Perlman, et al.	Chaitman LLP	x	x
10-04545	Jerome Goodman, et al.	Chaitman LLP	x	x
10-04570	Jacob M. Dick Rev Living Trust DTD 4/6/01, et al.	Chaitman LLP	x	x
10-04576	Norton A. Eisenberg	Milberg LLP/Seeger Weiss LLP	x	
10-04582	Gerald Blumenthal	Milberg LLP/Seeger Weiss LLP	x	
10-04599	The Estate of Alvin E. Shulman	Chaitman LLP	x	
10-04606	Estate of Florence W. Shulman, et al.	Chaitman LLP	x	
10-04614	Robert S. Whitman	Chaitman LLP	x	x
10-04655	Jaffe Family Investment Partnership, et al.	Chaitman LLP	x	x
10-04668	Timothy Shawn Teufel and Valerie Ann Teufel Family Trust U/T/D 5/24/95, et al.	Chaitman LLP	x	
10-04702	S&L Partnership, a New York partnership, et al.	Dentons US LLP	x	
10-04718	The Jordan H. Kart Revocable Trust, et al.	Chaitman LLP	x	x
10-04728	Bruno L. Digiulian	Chaitman LLP	x	x
10-04748	Mark Horowitz	Chaitman LLP	x	x
10-04749	Philip F. Palmedo	Chaitman LLP	x	x
10-04752	Kuntzman Family LLC, et al.	Chaitman LLP	x	x
10-04762	Estate of James M. Goodman, et al.	Chaitman LLP	x	x
10-04798	Janet Jaffe Trust UA dtd 4/20/90, et al.	Chaitman LLP	x	x
10-04803	The Estelle Harwood Family Limited Partnership, et al.	Chaitman LLP	x	x
10-04806	Kenneth M. Kohl, et al.	Chaitman LLP	x	x
10-04809	Edyne Gordon, et al.	Chaitman LLP	x	x
10-04818	Toby Harwood	Chaitman LLP	x	x
10-04823	Frank DiFazio, et al.	Chaitman LLP	x	x
10-04826	Estate of Boyer Palmer, et al.	Chaitman LLP	x	x
10-04852	Alvin E. Shulman Pourover Trust, et al.	Chaitman LLP	x	
10-04859	Bert Margolies Trust, et al.	Chaitman LLP	x	
10-04861	Harold J. Hein	Dentons US LLP	x	
10-04878	Lisa Beth Nissenbaum Trust, et al.	Chaitman LLP	x	x
10-04882	Laura E. Guggenheim er Cole	Dentons US LLP	x	
10-04912	Harry Smith Revocable Living Trust, et al.	Chaitman LLP	x	x
10-04920	Glenhaven Limited, et al.	Chaitman LLP	x	x
10-04931	Estate of Muriel B. Cantor, et al.	Chaitman LLP	x	x
10-04933	Kenneth Evenstad Trust, et al.	Loeb & Loeb LLP		x
10-04945	SEW Preferred Ltd. Partnership, et al.	Loeb & Loeb LLP		x

The "Day 1" column indicates those parties who participated in Day 1 of Madoff's deposition.
 The "Day 2" column indicates parties who noticed a request for Day 2 Deposition Topics.

<u>Adv. Pro. No.</u>	<u>Case Name</u>	<u>Defendant Counsel</u>	<u>Day 1</u>	<u>Day 2</u>
10-04946	Stephen R. Goldenberg	Milberg LLP/Seeger Weiss LLP	x	
I0-04951	Harold A. Thau	Milberg LLP/Seeger Weiss LLP	x	
10-04952	MBE Preferred Ltd. Partnership, et al.	Loeb & Loeb LLP		x
10-04956	Denis M. Castelli	Chaitman LLP	x	x
10-04961	Sylvan Associates LLC f/k/a Sylvan Associates Limited Partnership, et al.	Chaitman LLP	x	x
10-04966	Onesco International, LTD., et al.	Milberg LLP/Seeger Weiss LLP	x	
10-04978	Estate of Ira S. Rosenberg, et al.	Milberg LLP/Seeger Weiss LLP	x	
10-04979	James M. New Trust dtd 3/19/01, et al.	Chaitman LLP	x	x
10-04991	Guiducci Family Limited Partnership, et al.	Chaitman LLP	x	x
10-04995	Trust u/art Fourth o/w/o Israel Wilenitz, et al.	Chaitman LLP	x	x
10-05026	Walter Freshman Trust A, a Florida trust, et al.	Chaitman LLP	x	x
10-05037	Barbara L. Savin	Chaitman LLP	x	x
10-05069	Potamkin Family Foundation Inc.	Milberg LLP/Seeger Weiss LLP	x	
10-05079	Estate of James M. Goodman, et al.	Chaitman LLP	x	x
I0-05104	The Gloria Albert Sandler and Maurice Sandler Revocable Living Trust, et al.	Chaitman LLP	x	x
10-05124	The Lawrence J. Ryan and Therese R. Ryan Revocable Living Trust, et al.	Chaitman LLP	x	x
10-05128	JABA Associates LP, et al.	Chaitman LLP	x	x
I0-05130	Barbara Kotlikoff Harman	Chaitman LLP	x	x
10-05133	Fern C. Palmer, et al.	Chaitman LLP	x	x
10-05135	Reckson Generation, et al.	Chaitman LLP	x	
10-05151	Palmer Family Trust, et al.	Chaitman LLP	x	x
I0-05157	The Harnick Brothers Partnership, et al.	Chaitman LLP	x	x
10-05184	Laura Ann Smith Revocable Living Trust, et al.	Chaitman LLP	x	x
I0-05196	Irene Whitman 1990 Trust U/A DTD 4/13/90, et al.	Chaitman LLP	x	x
10-05209	Lapin Children LLC	Dentons US LLP	x	
10-05236	Toby T. Hobish, et al.	Dentons US LLP	x	
10-05257	Edward A. Zraick, Jr., et al.	Hunton & Williams LLP	x	x
10-05309	William Pressman, Inc., et al.	Chaitman LLP	x	
10-05312	Doron Tavlin Trust U/A 2/4/91, et al.	Chaitman LLP	x	x
I0-05377	Richard G. Eaton	Chaitman LLP	x	x
I0-05420	Gunther K. Unflat	Chaitman LLP	x	x
I0-05435	Keith Schaffer, et al.	Chaitman LLP	x	x

The "Day 1" column indicates those parties who participated in Day 1 of Madoff's deposition.
The "Day 2" column indicates parties who noticed a request for Day 2 Deposition Topics.